

AGRO-CHEMICAL

The Agro-Chemical Committee wishes to thank the Bureau of Animal and Plant Health Inspection and Quarantine (BAPHIQ) of the Council of Agriculture (COA) for its revisions to Articles 45 and 46 of the Agro-pesticides Management Act, which were passed by the Legislative Yuan in December 2015. In order to effectively deter illegal pesticides and protect public health, the amended articles clearly define and raise the penalties for manufacturing, processing, repackaging, importing, or selling prohibited agro-pesticides, or storing and displaying them with the intention of engaging in business activity.

In addition, the Committee would also like to thank the COA's Taiwan Agricultural Chemicals and Toxic Substances Research Institute (TACTRI) for devising a set of review standards to ensure consistency in the treatment of foreign test reports on field efficacy and residues. Owing to the new standards, which are closer to international practice, most of the domestic and foreign test reports submitted by manufacturers recently have been able to pass the review.

This is now the sixth year of the “new” registration system for pesticides, and with assistance from BAPHIQ and TACTRI, manufacturers of pesticides had been gradually becoming more familiar with the system. However, last year the procedure was changed so as to synchronize pesticide registration with the setting of maximum residue limits (MRLs) of pesticides in crops – a change that threatens to undo the progress made under the accelerated registration process. In addition, the lengthy review processes by BAPHIQ for field efficacy, phytotoxicity, and residue tests significantly slow down the registration process. Improvement in this area is urgently needed.

We would also like to point out that the extended application range of pesticide field-testing principles adopted by BAPHIQ, as well as the classification of crop types for residue tests, differ from the classification of agricultural crops used by the Ministry of Health and Welfare (MOHW), creating inefficiencies and confusion. We urge the two agencies to harmonize the standards.

To strengthen environmental protection and food safety, we propose that toxicity assessments be conducted on pesticides in use for 15 years or more, and we expect BAPHIQ to devise fair, comprehensive, and reasonable criteria and review standards for such assessments.

In view of the low level of investment in our sector due to the long registration process and short period of patent protection, the Committee would like to make the following recommendations:

Suggestion 1: Shorten the registration process.

1.1 Set MRLs simultaneously with the registration review.

When pesticides are registered, it currently takes about five to six months for the COA's Agricultural Advisory Committee to complete its review, at which point the MOHW's Food Sanitation, Safety and Nutrition Advisory Committee takes up the issue of setting an MRL. BAPHIQ then needs to wait for the MRL to be determined before it can stipulate the method by which the pesticide is to be used on crops.

As a result, from the time the registration has been passed by the Agricultural Advisory Committee, it altogether takes another six to 10 months before BAPHIQ can announce the mode of usage, rendering the accelerated registration process meaningless. In this respect, Taiwan should follow the international trend of conducting the pesticide registration and setting the MRL simultaneously so as to shorten the entire process. We request that the total communication and processing period be reduced to four months. It will benefit to farmers who could apply the new and advanced products as earlier as other countries since the imported crops may be on the application already.

1.2 Standardize the test protocol review process.

Because the current system does not include a set of standards for the biological testing of pesticides, various experts involved in the protocol review process often disagree with one another, causing delays and inefficiency. We recommend using the guidelines on the biological testing of pesticides from other nations, such as the European and Mediterranean Plant Protection Organization (EPPO) or the guidelines of the People's Republic of China, as reference for standardizing the test methods on pathogens, pests, and weeds for Taiwan's major crops. To improve efficiency and reduce the workload of TACTRI personnel, the test templates could be applied directly into the protocols.

1.3 Harmonize the pesticide residual test crop-grouping table with the MOHW's classification of agricultural crops.

BAPHIQ's extended application scope and grouping system for pesticide field testing are well intentioned and solve the issue of a lack of pesticides for farmers' use for certain crops and pests. However, the types of crops in the grouping tables for field efficacy and residue tests are often represented as “families,” and are frequently difficult to express clearly in the promulgation of regulations and in labeling. Additionally, these groupings are often inconsistent with the crop classification used by the MOHW. To avoid confusion and misinformation on the part of vendors and users, the

classifications used by BAPHIQ and MOHW should be harmonized.

Suggestion 2: Require toxicological test data for technical and formulated grade pesticides that have been registered for 15 years or more.

To ensure the safety of food consumers, the environment, and pesticide users, technical and formulated grade pesticides that have been registered for 15 years or more should provide toxicological test data to ensure the safety of these products. The rule should be applied to all products no matter whether they are original or generic, since different products may contain different ingredients and be manufactured by different processes.

Suggestion 3: Extend the data protection period on pesticides from 8 years to 10.

In line with the Taiwan Intellectual Property Office's extension of the patent period from 18 years to 20 years for all chemical products, we propose that the data protection period likewise be extended from eight years to 10 to help alleviate the burden caused by the long and costly nature of the current pesticide registration system. This change will increase companies' willingness to invest in environmentally friendly new products to replace the more toxic existing ones. Consumers will benefit from a food safety perspective.

The Committee again urges the relevant authorities to shorten the registration process and set up fair and reasonable assessment criteria to address the challenges that the authorities, industry, and users are facing and to further enhance environmental safety, food security, and people's health.